

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JACK BUCKHORN, et al.,

Plaintiffs,

v.

MARLON EUGENE HETTINGER,

Defendant.

Case No. 15-cv-04352-EMC

**ORDER FOR SUPPLEMENTAL FILING
RE PLAINTIFFS' MOTION FOR
SUMMARY JUDGMENT**

Docket No. 104

Plaintiffs have moved for summary judgment on their claim under Section 515 of the Employee Retirement Income Security Act ("ERISA") of 1974, 29 U.S.C. § 1145. Section 515 requires the plaintiff seeking to enforce an employee benefit plan to establish, *inter alia*, that the plan is a "multiemployer plan" as defined by § 3(1) of ERISA, 29 USC § 1002(37)(A). It does not appear that Plaintiffs have alleged in the complaint or shown in the materials filed in support of the instant motion that the benefit plans at issue are "multiemployer plans." Accordingly, Plaintiffs are ordered to file any such materials with the Court by September 24, 2018.

IT IS SO ORDERED.

Dated: September 19, 2018



EDWARD M. CHEN
United States District Judge